

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN CHRISTOPHER BROWN,
Plaintiff,

v.

PRIMECARE HEALTH, *et al.*,
Defendants.

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CIVIL ACTION NO. 20-CV-783

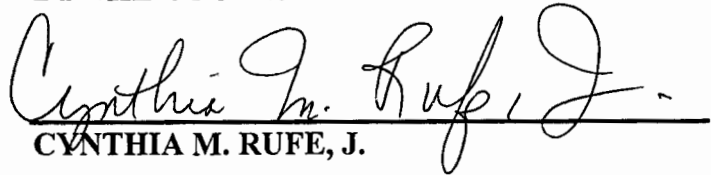
 **ORDER**

AND NOW, this 24th day of February, 2020, upon consideration of John Christopher Brown's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 2), and *pro se* Complaint (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. John Christopher Brown, #QA8642, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent SCI Camp Hill or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Brown's inmate account; or (b) the average monthly balance in Brown's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Brown's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Brown's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Superintendent of SCI Camp Hill.
4. The Complaint is **DEEMED** filed.
5. Brown's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.¹
6. Brown is **GRANTED** leave to file an Amended Complaint no later than **March 20, 2020**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.

¹ An Order dismissing a motion without prejudice allows a plaintiff to cure the deficiency and refile the motion. Order. *Cf. Ahmed v. Dragovich*, 297 F.3d 201, 207 (3d Cir. 2002).